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Queen Anne's County Board of Education
Computer Technologies Department
202 Chesterfield Ave
Centreville, MD 21817
Phone: 410-758-2403 Ext 186
Fax: 410-758-8201

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MAR 05 2007

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ComTek



Fax

To: FCC

From: QACPS - Robin Smith

Fax: 202-416-0187

Pages: 13 (including cover sheet)

Phone:

Date: 03/01/07

Re: Docket Nos: 96-45, 02-6
Queen Anne's County Public Schools
BEN:12406
Form 471 Application No:494712

*3/5/07
after meeting closed*

☒ Urgent☒ For Review☒ Please Comment☒ Please Reply☐ Please Recycle

● Comments:

Original will follow by certified mail

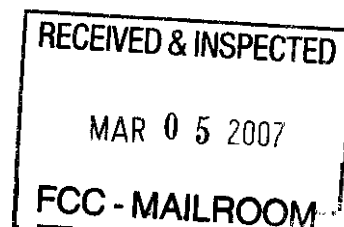
Thank you.

A handwritten signature in cursive script, appearing to read "Robin Smith".



March 1, 2007

Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Room TW-A325
Washington, WC 21554



Re: CC Docket No. 96-45
CC Docket No. 02-6
Queen Anne's County Public Schools
BEN: 12406
Form 471 Application Number: 494712

Request for Review of USAC Decision on Appeal

VIA FACSIMILE: 202-418-0187

To Whom It May Concern:

An appeal of USAC's decision is requested for Queen Anne's County Public Schools (QACPS) for filing year 2006-07.

During this filing year, Robert Lathroum, the original filer for USAC/SLD documents, retired from employment. At this same time, his office contents were relocated outside the main building to portable offices at 202 Chesterfield Avenue, Centreville, MD 21617. In the process, we feel pieces of key information had gone missing, or were undeliverable. To the best of my ability, I have outlined a time line of the documents we have located in his files and attached copies where appropriate. In speaking with a USAC/SLD representative, I had found that on original documents our fax number was listed incorrectly, in addition to, the direct phone number and fax number for Robert Lathroum on many of his documents.

Queen Anne's County originally filed the Form 470 electronically on November 11, 2005 by Robert Lathroum. I have attached a copy of his signed certification of the same date. Dated November 14, 2005 we received a "Form 470 Receipt Notification Letter".

After waiting a week longer than the 28 day waiting period, Form 471 was then filed by Robert Lathroum electronically under application number 333420000550950 in December of 2005. The paper certification was mail on 12/22/05 with a certified receipt that we have tracked and confirmed as being received on 12/27/05 at 3833 Greenway

March 1,2007

Page 2 of 3

Drive, Lawrence, KS 66046. I have copies of these documents and they are attached because I worked with Robert Lathroum in training to file these documents.

Dated January 9,2006 we received a "Form471 Receipt of Acknowledgement Letter" stating that the certification was received and corrections could be made if needed. We did not need to make any corrections to my knowledge

On January 27,2006 a request was received to certify the original Form470. In February, I followed the directions to attempt to **recertify** on Robert Lathroum's behalf since he was no longer employed by our school system at that time. To my knowledge, this was a recertify of what was already mailed on November 11,2005. In addition, copies Form471 certification pages were again mailed to Lawrence, **KS** and I certified on line on February 14,2006. We also received another "Form 471 Receipt of Acknowledgement" letter.

On February 20, 2006 I received another "Form470 Receipt Notification Letter" for the 2006-07. However, it **came** to me with a different application number: 341610000582867.

It was not until May, 2006 that I heard from USAC/SLD when a PIA **was** reviewing our application for compliance. I responded to her questions via facsimile, sending copies of all documents as well **as** a paragraph explaining **the** duplication of 470/471s due to the turnover in our department since I was unable **to** locate **a** return receipt for the certification. We did not intend to file the **forms** again, only to submit proof **of** certification of those filed in November, 2005 and January, 2006 by Robert Lathroum.

An attempt to follow **up** with **the** PIA via phone, and then later by **email** on August 1, 2006 was made, without a **return** of my call or email.

In October, 2006, I called USAC/SLD **just** to follow up on our process. I was assigned case number 21-495043 and was told that per a letter dated September 19,2006 **our** funding had been 'Denied' because certification of Form 470 was not filed by the closing window. I explained that all originals were filed and I was **asked** to resubmit those documents electronically in February. Again, to my knowledge I was just recreating, or refiling documents on behalf of Mr. Lathroum, not starting the process from the beginning. So in my assessment of our conversation, I did not know I **was** required, nor was I told, to wait another 28 days before resubmitting a copy of the 471, being **under** the impression this was a duplicating process.

Erate funding is approximately **25%** of QACPS's technology budget. Without access to the reimbursement of our Verizon phone bills, QACPS will loose approximately \$60,000 in technology funding for this school year. I hope you will please reconsider **the previous** decision made by USAC/SL as we work through **our** learning curve **of** the process and train our own staff to handle future filings.

March 1, 2007

Page 3 of 3

Should you need to contact me for further discussion, I am available via the following methods:

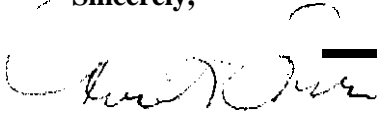
By Email: smithro@gacps.k12.md.us

By Facsimile: 410-758-8201

By Phone: 410-758-2403x186

By Mail: **Robin Smith, Comtek**
Board of Education Queen Anne's County
202 Chesterfield Avenue, Portable 1
Centreville, MD 21617

Sincerely,

A handwritten signature in black ink, appearing to read "Robin Smith", is written over a horizontal line.

Robin Smith
Administrative Assistant

FCC Form 470

Universal Service Program Description of Services Requested and Certification Form

Entity Number: 126403
Contact Person: Robin Smith

Applicant's Form Identifier: QACPS0607A
Phone Number: 410-758-2403 Ext. 186

FCC Form

Approval by OMB
3060-0606

470

**Schools and Libraries Universal Service
Program Description of Services Requested
and Certification Form**

Do not write in this area

Form 470 Application Number: 333420000550950

19. ☒ I certify that the applicant includes: (Check one or both.)

- a. ☒ schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. Secs. 7081(18) and (38), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or
- b. ☐ libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any school (including, but not limited to elementary and secondary schools, colleges, and universities).

20. ☒ I certify that all of the individual schools, libraries, and library consortia receiving services under this application are covered by technology plans that are written, that cover all 12 months of the funding year, and that have been or will be approved by a state or other authorized body, an SLD-certified technology plan approver, prior to the commencement of service. The plans were written at the following level(s):

- a. ☒ Individual technology plans for using the services requested in the application; and/or
- b. ☒ higher-level technology plans for using the services requested in the application; or
- c. ☐ no technology plan needed; application requests basic local, cellular, PCS, and/or long distance telephone service and/or voice mail only.

21. ☒ I certify that I will post my Form 470 and (if applicable) make my RFP available for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted will be carefully considered and the bid selected will be for the most cost-effective service or equipment offering, with price being the primary factor, and will be the most cost-effective means of meeting educational needs and technology plan goals. I certify that I will retain required documents for a period of at least five years after the last day of service delivered. I certify that I will retain all documents necessary to demonstrate compliance with the status and Commission rules regarding the application for, receipt of, and delivery of services receiving schools and libraries discounts. I acknowledge that I may be audited pursuant to participation in the schools and libraries program.

22. ☒ I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value, except as permitted by the Commission's rules at 47 C.F.R. Sec.

Block 5 Page C

Page 2 of 3

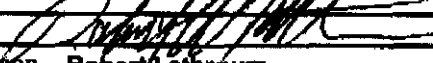
54.500(k). Additionally, I certify that the entity or entities listed on this application have not received anything of value or a promise of anything of value, other than the services and equipment sought by means of this form, from the service provider, or any representative or agent thereof or any consultant in connection with this request for services.

23. ☒ I acknowledge that support under this support mechanism is conditional upon the school(s) and/or library(ies) I represent securing access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support,

24. ☒ I certify that I am authorized to order telecommunications and other supported services for the eligible entity(ies). I certify that I am authorized to submit this request on behalf of the eligible entity(ies) listed on this application, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

25. ☒ I certify that I have reviewed all applicable state and local procurement/competitive bidding requirements and that I have complied with them. I acknowledge that persons willfully making false statements on this form can be punished by fine or forfeiture, under the Commissions Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

26. ☒ I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program.

| | | | |
|----------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|----------|----------|
| 27. Signature of authorized person |  | 28. Date | 11/11/05 |
| 29. Printed name of authorized person Robert Lathroum | | | |
| 30. Title or position of authorized person Supervisor of Technology | | | |
| 31a. Street Address of authorized person 202 Chesterfield Avenue Centreville, MD 21617 | | | |
| 31b. Telephone Number of authorized person (410) 758-2403 Ext. 186 | | | |
| 31c. Fax Number of authorized person (410) 758-8201 | | | |
| 31d. E-mail address of authorized person lathroum@qacps.k12.md.us | | | |
| 31e. Name of authorized person's employer Board of Education Queen Anne's County | | | |

Form 470 Application Number: 333420000550960

QUEEN ANNE'S COUNTY BOARD OF ED.

202 CHESTERFIELD AVE

CENTRMLLE, MD 21617-1308

Service provider involvement with preparation or certification of a Form 470 can taint the competitive bidding process and result in the denial of funding requests. For more information refer to the SLD web site at www.sld.universalservice.org or call the SLD client Service Bureau at 1-868-203-8100.

NOTICE: Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Form of Services and Certification Form with the Universal Service Administrator. 47 C.F.R. § 54.504. Information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended, 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of any applicable statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the

information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government, is a party of a proceeding before the body or has an interest in the proceeding. In addition, information provided in or submitted with this form or in response to subsequent inquiries may also be subject to disclosure consistent with the Communications Act of 1934, FCC regulations, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law.

If you owe a past due debt to the federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide this information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, reviewing the collection of information, and reviewing the collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, D.C. 20554.

Please submit this form to:

SLD - Form 470
P.O. Box 7026
Lawrence, KS 66044-7026
1-888-203-8100

For express delivery services or U.S. Postal Service, Return Receipt Requested, mail this form to:

SLD Forms
ATTN: SLD Form 470
3833 Greenway Drive
Lawrence, KS 66046
1-888-203-8100

FCC Form 470
 November 2004

Application ID:494714

Do not write in this area.

| | | | |
|----------------|-------------|-----------------------------|------------|
| Entity Number | 126403 | Applicant's Form Identifier | OACPS47106 |
| Contact Person | Robin Smith | Phone Number | 7582813 |

Block 6: Certifications and Signature

24. ☒ I certify that the entities listed in Block 4 of this application are eligible for support because they are: (check one or both)
- ☒ a. schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. Secs. 7801(18) and (38), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or
- ☐ b. libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any schools including, but not limited to elementary, secondary schools, colleges, or universities
25. ☒ I certify that the entity I represent on this application have secured access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity, necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support. I certify that the entities I represent on this application have secured access to all of the resources to pay the discounted charges for eligible services from funds to which access has been secured in the current funding year. I certify that the Billed Entity will pay the non-discount portion of the cost of the goods and services to the service provider(s).

| | | |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| a. | Total funding year pre-discount amount on this Form 471 (Add the entities from Item 231 on all Block 5 Discount Funding Requests.) | \$144,240.00 |
| b. | Total funding commitment request amount on this Form 471 (Add the entities from Items 23K on all Block 5 Discount Funding Requests.) | \$60,375.00 |
| c. | Total applicant non-discount share (Subtract Item 25b from Item 25a.) | \$83,865.00 |
| d. | Total budgeted amount allocated to resources not eligible for E-rate support | \$0.00 |
| e. | Total amount necessary for the applicant to pay the non-discount share of the services requested on this application AND to secure access to the resources necessary to make effective use of the discounts. (Add Items 25c and 25d.) | \$83,865.00 |
| f. | Check this box if you are receiving any of the funds in Item 25a directly from a service provider listed on any Forms 471 filed by this Billed Entity for this funding year, or if a service provider listed on any of the Forms 471 filed by this Billed Entity for this funding year assisted you in locating funds in Items 25c. | |

26. ☒ I certify that all of the schools and libraries or library consortia listed in Block 4 of this application are covered by technology plans that are written, that cover all 12 months of the funding year, and that have been or will be approved by a state or other authorized body, and an SLIP-certified technology plan approver, prior to the commencement of service. The plans are written at the following level(s):

- ☒ a. an individual technology plan for using the services requested in this application; and/or
- ☒ b. higher-level technology plan(s) for using the services requested in this application; or
- ☐ c. no technology plan needed; applying for basic local, cellular, PCS, and/or long distance telephone service and/or voice mail only.

27. ☒ I certify that I posted my Form 470 and (if applicable) made my RFP available for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted were carefully considered and the most cost-effective service offering was selected, with price being the primary factor considered, and is the most cost-effective means of meeting educational needs and technology plan goals.



28. ☒ I certify that the entity responsible for selecting the service provider(s) has reviewed all applicable FCC, state, and local procurement/competitive bidding requirements and that the entity or entities listed on this application have complied with them.

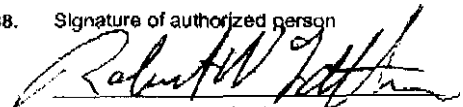
29. I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for

http://www.sj.universalservice.org/FY3_Form471/ASPPartner.asp

Show Form Fields

Page 2 of 3

- ☒ educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value, except as permitted by the Commission's rules at 47 C.F.R. Sec. 54.500(k). Additionally, I certify that the Billed Entity has not received anything of value or a promise of anything of value, other than services and equipment requested under this form, from the service provider(s) or any representative or agent thereof or any consultant in connection with this request for services.
30. ☐ I certify that I and the entity(ies) I represent have complied with all program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments. There are signed contracts covering all of the services listed on this Form 47 except for those services provided under non-contracted tariffed or month-to-month arrangements. I acknowledge that failure to comply with program rules could result in civil or criminal prosecution by the appropriate law enforcement authorities.
31. ☒ I acknowledge that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service, receive an appropriate share of benefits from those services.
32. ☒ I certify that I will retain required documents for a period of at least five years after the last day of service delivered. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the application for, receipt of, and delivery of services receiving schools and libraries discounts, and that if audited, I will make such records available to the Administrator. I acknowledge that I may be audited pursuant to participation in the schools and libraries program.
33. ☒ I certify that I am authorized to order telecommunications and other supported services for the eligible entity(ies) listed on this application. I certify that I am authorized to submit this request on behalf of the eligible entity(ies) listed on this application, that I have examined this request that all of the information on this form is true and correct to the best of my knowledge, that the entities that are receiving discounts pursuant to this application have complied with the terms, conditions and purposes of this program, that no kickbacks were paid to anyone and that false statements on this form can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under the Title 18 of the United States Code, 18 U.S.C. Sec. 1001 and civil violations of the False Claims Act.
34. ☒ I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program. I will institute reasonable measures to be informed and will notify USAC should I be informed or become aware that I or any of the entities listed on this application, or any Person associated in any way with my entity and/or entities listed on this application, is convicted of a criminal violation or held civilly liable for acts arising from their participation in the schools and libraries support mechanism.
35. ☒ I certify that if any of the Funding Requests on this Form 471 are for discounts for products or services that contain both eligible and ineligible components, that I have allocated the cost of the contract to eligible and ineligible companies as required by the Commission's rules at 47 C.F.R. Sec. 54.504(g)(1),(2).
36. ☒ I certify that this funding request does not constitute a request for internal connections services, except basic maintenance services. In violation of the Commission requirement that eligible entities are not eligible for such support more than twice every five funding years beginning with Funding Year 2005 as required by the Commission's rules at 47 C.F.R. Sec. 54.506(c).
37. ☒ I certify that the non-discounted portion of the costs for eligible services will not be paid by the service provider. The pre-discount costs of eligible services features on this Form 471 are net of any rebates or discounts offered by the service provider. I acknowledge that, for the purpose of this rule, the provision, by the provider of a supported service, of free services or products unrelated to the supported service or product constitutes a rebate of some or all of the cost of the supported services.

| | |
|---------------------------------------------------------------------------------------------------------------------------|--------------------|
| 38. Signature of authorized person | 39. Signature Date |
|  | 12/19/05 |
| 40. Printed name of authorized person Robert Lathroun | |
| 41. Title or position of authorized person supervisor of instruction | |
| 42a. Street Address, P.O. Box or Route Number 202 Chesterfield Avenue City, State Zip Code Centreville, MD 21617 | |
| 42b. Telephone number of authorized person: (410) 758-2403, ext. 186 | |
| 42c. Fax number of authorized person: (410) 820-8201 | |
| 42d. E-mail of authorized person: lathroun@qacps.k12.md.us | |
| 42e. Name of authorized person's employer Queen Anne's County Board of Education | |

The American5 with Disabilities Act, the Individual9 with Disabilities Education Act and the Rehabilitation Act may

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Page 3 of 3

impose obligations on entities to make the services purchased with these discounts accessible to and usable by people with disabilities.

NOTICE: Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Services Ordered and Certification Form (FCC Form 471) with the Universal Service Administrator, 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended, 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of any applicable statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, consistent with the Communications Act of 1934, FCC regulations and orders, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law, information provided in or submitted with this form or in response to subsequent inquiries may be disclosed to the public.

If you owe a past due debt to the Federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to Offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide me information from these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

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Public reporting burden for this collection of information is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554.

Please submit this form to:

SLD-Form 471
P.O. Box 7026
Lawrence, Kansas 66044-7026

For express delivery services or U.S. Postal Service, Return Receipt Requested, mail this form to:

SLD Forms
ATTN: SLD Form 471
3833 Greenway Drive
Lawrence, Kansas 66046
(888) 203-8100

QUEEN ANNE'S COUNTY BOARD OF EDUCATION

Form 471 Application #: 494714

Applicants Form Identifier: QACPS47106

Billed Entity Number: 126403

| |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>ATTACHMENT #1 - Queen Anne's County Board of Education Application # 494714 This is for monthly phone service for Saddlebrook Elementary and Saddlebrook Middle School.</p> |
| <p>ATTACHMENT #2 - Queen Anne's County Board of Education Application # 494714 This is for monthly phone service for Stevensville Middle, Bapide Elementary, Matapeake Elementary, Kent Island Elementary School.</p> |
| <p>ATTACHMENT #3 - Queen Anne's County Board of Education Application # 494714 This is for monthly phone service Kennard Elementary, Centreville Elementary, Centreville Middle, Queen Anne's High, and Central Office.</p> |
| <p>ATTACHMENT #4 - Queen Anne's County Board of Education Application # 494714 This is for monthly phone service for Grasonville Elementary.</p> |
| <p>ATTACHMENT #5 - Queen Anne's County Board of Education Application # 494714 This is for monthly phone service for Kent Island High School.</p> |
| <p>ATTACHMENT #6 - Queen Anne's County Board of Education Application # 494714 This is for monthly phone service for Church Hill Elementary School.</p> |
| <p>ATTACHMENT #7 - Queen Anne's County Board of Education Application # 494714 This is for the fiber optic links that connect Kent Island High School and Queen Anne's County High School to the eastern shore distance learning network.</p> |

USPS - Track & Confirm

Page 1 of 1


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| Restricted Delivery Fee (Endorsement Required) | BOARD OF EDUCATION |
| | QUEEN ANNE'S COUNTY |
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| Street, Apt. No. or PO Box No. 3833 Greenway Drive | |
| City, State, ZIP+4 Lawrence KS 66046 | |
| PS Form 3800, June 2002 See Reverse for Instructions | |



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2006-2007

January 08, 2007

Robin Smith
Board of Education Queen Anne's County
202 Chesterfield Avenue
Portable 1
Centreville, MD 21617-1308

Re: Applicant Name: QUEEN ANNE'S COUNTY BOARD OF ED.
Billed Entity Number: 126403
Form 471 Application Number: 494714
Funding Request Number(s): 1363328, 1363329, 1363331, 1363333, 1363344, 1363345, 1363350
Your Correspondence Dated: November 15, 2006

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2006 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If **your** Letter of Appeal included **more** than one Application **Number**, please note that **you** will receive a separate letter for each application.

Funding Request Number(s): 1363328, 1363329, 1363331, 1363333, 1363344, 1363345, 1363350

Decision on Appeal: Denied
Explanation:

- During the Appeal Review, USAC thoroughly assessed the facts presented in the appeal letter, the relevant documentation on file, and the FCC Rules and Procedures before making its determination on your appeal. The applicant was asked to provide proof that the referenced Form 470 Number 333420000550950 was certified on or before the Form 471 filing date of February 16, 2006. In a fax dated May 26, 2006, the applicant provided Form 470 application number 341610000582867 as the establishing Form 470 for the application. As this was different than the original information, the Form 470 number was corrected;

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however, the program violation was not corrected. For this Form **470**, USAC notified you in a Receipt Notification Letter that that the earliest date on which you could sign a contract or enter into **an** agreement (your Allowable Contract Date) was March **14,2006**. **Your** Form **471** was certified on December **22,2005**. Consequently, USAC denies your appeal because your application did not comply with the competitive bidding requirement that your Form 470 be posted on the website for 28 days prior to signing a contract or entering into an agreement for new products and/or services.

- You signed and/or submitted your Form **471** prior to ~~the~~ expiration of the 28 day posting period. FCC Rules require that except under limited circumstances, all Forms **470** received be posted on the USAC website for **28** days, and that applicants carefully consider all bids received before selecting a vendor, entering into an agreement or signing a contract, and signing ~~and~~ submitting a Form **471**. 47 C.F.R. secs. **54.504** (a) (c), **54.511(a)** and (c). FCC Rules further require that the Administrator send the applicant a confirmation when the Form **470** has been posted, **and** inform the applicant of the earliest date upon which they may sign a contract with the vendor it ~~selects~~. 47 C.F.R. sec. **54.504(b)(4)**. These competitive bidding requirements help to ensure that applicants receive the lowest pre-discount price ~~from~~ vendors. See Federal-State Joint Board on Universal Service, CC Docket No. **96-45**. Order on Reconsideration, **12 FCC Rcd 10095, 10098, FCC 97-246** para. **9** (rel. Jul. **10, 1997**).

If your appeal has been approved, ~~but~~ funding has been reduced or denied, you may appeal these decisions to either USAC or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file **an** appeal with the FCC. You should refer to CC Docket No. 02-6 **on** the first page of your appeal to the FCC. **Your** appeal must be received or postmarked within **60** days **of** the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC. Office of the Secretary, **445 12th** Street SW, Washington, DC **20554**. Further information and options for filing **an** appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section **of** the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company